

SK



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

ML

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

09/444,254    11/22/99    BARNARD

R    EN999116

┌

PM82/0420

└

|          |
|----------|
| EXAMINER |
|----------|

SHELLEY M BECKSTRAND  
314 MAIN STREET  
OWEGO NY 13827

|          |              |
|----------|--------------|
| HESS, D  |              |
| ART UNIT | PAPER NUMBER |

2167  
DATE MAILED:

4

04/20/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/444,254

Applicant(s)  
Ray et al.

Examiner  
Douglas Hess

Group Art Unit  
2167



☒ Responsive to communication(s) filed on Feb 15, 2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 4-15 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 4-15 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 1

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2167

1. Claims 1-3 withdrawn from further consideration (canceled by applicant) pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 3.

2. Claims 10-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 10, lines 7-8, the step of analyzing "general human relations environment" appears to be vague and unsupported. The specification and drawings do not appear to mention this terminology let alone address this terminology or teach/support how "general human relations environment" can be quantified or analyzed via the applicant's system.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 4-6, 8, and 13-15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Wong (US Patent 6,115,690).

Art Unit: 2167

Because of the excessive volume (over 400 pages) of the Wong patent, only some of the drawings, the entire specification, and all of the claims have been included.

The method, software, and article of manufacture is each disclosed in the Wong patent

See the attached marked up cover sheet of the Wong patent.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 7 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong in view of Reilly.

Art Unit: 2167

Wong discloses the network setup as claimed including the server, databases with templates, and web based users. Wong fails to fully disclose each method step in the procurement and accounts payable process. Reilly teaches that it is well known to perform many types of tasks in making a business model and Reilly's system 30 assists a user in building a model which can be customized to any degree desired using at least his Customized Client Model 48 with the aid of the Consultation tool 34. (See Reilly column 4.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system of Wong with the tools as taught by Reilly, since well known claimed business activities such as assigning resources using a project implementation team, preparing a transition management team, performing analysis on human relations type activities, defining a quality assurance process, confirming that certain measuring factors can be met, and generating various strategy documents are well known to be done manually. It was known at the time of the invention that merely providing automatic means to replace manual activities which accomplishes the same result is not sufficient to distinguish over the prior art, *In re Venner*, 262 F.2d 91.


8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2167

9. Any inquiry concerning this communication should be directed to Doug Hess at telephone number (703) 308-3428.

Hess

April 17, 2001

  
DOUGLAS HESS  
PRIMARY EXAMINER  
4-17-01



US006115690A

United States Patent [19]

[11] Patent Number: 6,115,690

Wong

[45] Date of Patent: Sep. 5, 2000

[54] INTEGRATED BUSINESS-TO-BUSINESS  
WEB COMMERCE AND BUSINESS  
AUTOMATION SYSTEM

5,621,201 4/1997 Langhans et al. .... 235/380  
5,638,519 6/1997 Haluska ..... 705/28  
5,666,493 9/1997 Wojcik et al. .... 705/26

[76] Inventor: Charles Wong, 14250 Miranda Rd.,  
Los Altos Hills, Calif. 94022

Primary Examiner—Edward R. Cosimano  
Assistant Examiner—Raquel Alvarez  
Attorney, Agent, or Firm—Burns, Doane, Swecker &  
Mathis, LLP

[21] Appl. No.: 08/995,591

[22] Filed: Dec. 22, 1997

[51] Int. Cl.<sup>7</sup> ..... G06F 17/60

[52] U.S. Cl. .... 705/7; 705/1; 705/8; 705/30;  
705/34; 364/709.06; 364/479.07

[58] Field of Search ..... 235/380; 364/468.02,  
364/468.14, 468.21, 479.06, 479.07, 479.08,  
705.06, 709.06; 705/34, 1, 30, 7, 8

[56] References Cited

## U.S. PATENT DOCUMENTS

|           |        |                   |            |
|-----------|--------|-------------------|------------|
| 5,101,352 | 3/1992 | Rembert           | 705/8      |
| 5,191,522 | 3/1993 | Bosco et al.      | 705/4      |
| 5,224,034 | 6/1993 | Katz et al.       | 705/7      |
| 5,311,438 | 5/1994 | Sellers et al.    | 364/468.02 |
| 5,450,317 | 9/1995 | Lu et al.         | 705/10     |
| 5,528,490 | 6/1996 | Hill              | 395/712    |
| 5,557,515 | 9/1996 | Abbruzzese et al. | 705/9      |
| 5,592,378 | 1/1997 | Cameron et al.    | 705/27     |
| 5,596,502 | 1/1997 | Koski et al.      | 364/468.01 |
| 5,615,109 | 3/1997 | Eder              | 705/8      |

## [57] ABSTRACT

A software system business-to-business Web commerce (Web business, or e-business) and automates to the greatest degree possible, in a unified and synergistic fashion and using best proven business practices, the various aspects of running a successful and profitable business. Web business and business automation are both greatly facilitated using a computing model based on a single integrated database management system (DBMS) that is either Web-enabled or provided with a Web front-end. The Web provides a window into a "seamless" end-to-end internal business process. The effect of such integration on the business cycle is profound, allowing the sale of virtually anything in a transactional context (goods, services, insurance, subscriptions, etc.) to be drastically streamlined.

85 Claims, 395 Drawing Sheets

Microfiche Appendix Included  
(5 Microfiche, 20 Pages)

← end to end  
allows  
a legacy  
application  
to be transf  
into a  
customized  
new applicat.

